

**SENDER: COMPLETE THIS SECTION**

- ☐ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- ☐ Print your name and address on the reverse so that we can return the card to you.
- ☐ Attach this card to the back of the mailpiece, or on the front if space permits.

Mr. Denny Farrell  
Etowah Terminal  
1015 Barlow Drive  
Charleston, WV 25311

Re: Facility Response Plan - Five Year Reviews.  
Regional ID: WV-FRP-005  
Date of last update: 1998

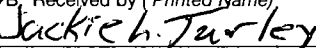
**COMPLETE THIS SECTION ON DELIVERY**

A. Signature

X

☐ Agent☐ Addressee

B. Received by (Printed Name)

  
Jackie H. Tarley

C. Date of Delivery

  
4/19

D. Is delivery address different from item 1?

☐ Yes

If YES, enter delivery address below:

☐ No☒ Certified Mail☐ Express Mail☐ Registered☐ Return Receipt for Merchandise☐ Insured Mail☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

2. Article Number

(Transfer from service label)

7001 1140 0001 0985 8023

UNITED STATES POSTAL SERVICE



First-Class Mail  
Postage & Fees Paid  
USPS  
Permit No. G-10

° Sender: Please print your name, address, and ZIP+4 in this box. °

UNITED STATES  
ENVIRONMENTAL PROTECTION AGENCY  
REGION III  
1650 ARCH STREET  
MAIL CODE 3HS32  
PHILADELPHIA, PA 19103-2029  
OFFICIAL BUSINESS  
PENALTY FOR PRIVATE USE \$300

LZ



- phone call to Linda 4/20/04; facility has been sold  
and does not have petroleum products anymore



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION III  
1650 Arch Street  
Philadelphia, Pennsylvania 19103-2029

ORIGINAL

**CERTIFIED MAIL: RETURN RECEIPT REQUESTED**

Mr. Denny Farrell  
Etowah Terminal  
1015 Barlow Drive  
Charleston, WV 25311

APR 13 2004

**RE: Facility Response Plan - Five Year Reviews**  
**Regional ID: WV-FRP-005**  
***Date of last update: 1998***

Dear Mr. Farrell:

The U.S. Environmental Protection Agency, Region III ("EPA") periodically reviews Facility Response Plans ("FRPs") for adequacy, makes recommendations where FRPs are deficient, and approves FRPs that are adequate. This letter is to notify you that the date of your facility's last correspondence with EPA concerning its Facility Response Plan is noted above. Therefore, you are required to review your FRP, make any necessary revisions, and submit a copy of the FRP revisions to EPA. Please include the Facility ID number referenced above on any FRP revisions, and send the revisions to the address noted on the second page.

When changes occur at a facility that materially affects a facility's ability to respond to a worst case discharge, the facility owner or operator is required to provide EPA with a copy of the FRP revisions that address these changes, within 60 days of each material change. 40 C.F.R. § 112.2(d)(1). Facility changes that may materially affect the response to a worst case discharge include:

- (i) A change in the facility's configuration that materially alters the information included in the response plan;
- (ii) A change in the type of oil handled, stored, or transferred that materially alters the required response resources;
- (iii) A material change in capabilities of the oil spill removal organization(s) that provide equipment and personnel to respond to discharges of oil;
- (iv) A material change in the facility's spill prevention and response equipment or emergency response procedures; and
- (v) Any other changes that materially affect the implementation of the response plan.

In addition, facilities are required to provide to EPA any changes to personnel and telephone lists included in the FRP, and other changes in the oil spill removal organization(s) that do not materially affect a worst case discharge. 40 C.F.R. § 112.2(d)(2). Changes and/or revisions to your FRP should be sent to:

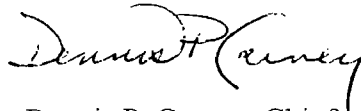
**U.S. ENVIRONMENTAL PROTECTION AGENCY  
REGION III FRP COORDINATOR  
REMOVAL ENFORCEMENT AND OIL SECTION (3HS32)  
1650 ARCH STREET  
PHILADELPHIA, PENNSYLVANIA 19103-2029**

Attached is a blank copy of EPA's C-II form (Certification of the Applicability of the Substantial Harm Criteria). Please review the form maintained at your facility, and update this form as needed.

Any additional information forwarded will be maintained in this office, along with other documents pertinent to your FRP.

Should you have any questions regarding this matter, please feel free to contact Linda Ziegler, EPA's Facility Response Plan Coordinator, at (215) 814-3277, or the Facility Response Plan Contractor line at (215) 814-3288.

Sincerely,

A handwritten signature in dark ink, appearing to read "Dennis P. Carney". The signature is fluid and cursive, with the first name "Dennis" and last name "Carney" clearly distinguishable.

Dennis P. Carney, Chief  
Removal Branch

Attachment

cc: Linda Ziegler (3HS32)